

1636



PATENT  
ATTORNEY'S DOCKET NO: DIVER1280-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1636  
Application No.: 09/636,778 Examiner: T. A. McKelvey  
Filed: August 11, 2000  
Title: HIGH THROUGHPUT SCREENING METHOD FOR  
IDENTIFICATION OF BIOMOLECULES (As amended)

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUL 02 2003  
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TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application, please find:

1. Response to the Communication mailed June 17, 2003; and
2. Return Receipt Postcard.

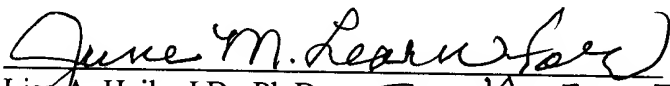
CERTIFICATION UNDER 37 CFR §1.8
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, June 27, 2003, in an envelope addressed to: Mail Stop, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Cecilia Tobin (Name of Person Mailing Paper)
 (Signature)

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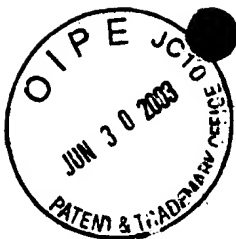
No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: June 27, 2003

  
Lisa A. Haile, J.D., Ph.D. *Reg No 31,238*  
Registration No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213**  
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San Diego, CA 92121-2133



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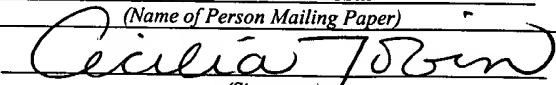
TECH CENTER 1600/2900

COMMUNICATION

Sir:

In response to the Communication mailed June 17, 2003 in the above-identified application, Applicants submit attached hereto a "Supplemental marked up version of claim 54" for entry in the place of the marked up version of claim 54. that was submitted with the Supplemental Response mailed by Applicants on March 21, 2003.

The Communication from the Examiner indicates that claim 54 in the marked up version of the claims submitted as Exhibit A attached to the Supplemental Response contained an error in deletion of a non-existent phrase "naturally occurring" in line 6. The attached document corrects this inadvertent error in claim 54 so as to show all changes relative to the previous version of that claim, as requested by the Examiner. Therefore, Applicants respectfully request entry of the attached "Supplemental marked up version of claim 54" in the place of the amendment shown in the Supplemental Response mailed by Applicants on March 21, 2003.

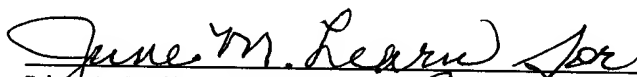
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In view of the above amendments and remarks, reconsideration and favorable action on claims 54, 55, and 57-73 and new claim 156 are respectfully requested. If the Examiner would like to discuss any of the issues raised by this Communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: June 27, 2003

  
Lisa A. Haile, J.D. Ph.D.  
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Attachments: Supplemental Marked up Version of claim 54

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**Supplemental marked-up version of the amendment to claim 54**

54. (Twice Amended) A method of identifying a molecule derived from a mixed population gene expression library that modulates the activity of a target cell component comprising co-encapsulating [the] a naturally-occurring molecule and a cell expressing a target cell component of interest and a detectable marker, in a microenvironment under conditions that allow the naturally-occurring molecule and the target cell component to interact[,]; and [detecting an effect of the molecule on the activity of the cell component, thereby identifying] screening the microenvironment to determine the ability of the molecule to modulate activity of the target cell component to produce a change in expression of the detectable marker, wherein the change identifies a molecule that modulates the activity of the target cell component.